

# **RULE AMENDMENT**

PUBLIC HEARING OCTOBER 26, 2001

ADOPTION NOVEMBER 16, 2001

**RULE 790-X-1-.06**

**EFFECTIVE DECEMBER 24, 2001**

**Rule 790-X-1-.06 Prelicense and Post License School Approval  
and Requirements.**

- (1) All approved schools and instructors teaching real estate courses must agree to be governed by rules and regulations adopted by the Commission for the orderly operation of the schools.
- (2) All prelicense and post license courses will have a definite beginning and ending date.
- (3) The approved course instructor will send to the Commission information concerning the exact location, times and dates of the courses ~~each time a new course begins~~ at least one week prior to the beginning of a prelicense or post license course.
- (4) A roster of students enrolled in the 60 clock hour prelicense course shall be sent to the Real Estate Commission office no later than one (1) week after the course begins. ~~This information may be sent with those items requested in paragraph three above.~~
- (5) A roster of students enrolled in a either the 15 hour prelicense course or the 30 hour post license course shall be sent to the Real Estate Commission office within one week ~~of conclusion~~ after ~~of the course begins.~~ ~~A roster of students enrolled in a 30 hour post license course shall be sent to the Real Estate Commission office within one week after the course begins.~~
- (6) Prelicense and post license course requirements. No course shall be approved by the Commission unless the following requirements are fulfilled.
  - (a) Courses must be taught by an approved instructor.
  - (b) All courses must comply with the curriculum as prescribed by the Commission.
  - (c) The 60 clock hour prelicense course must be completed within one year from the date of course enrollment or the student will receive no credit for classes completed and must begin the course again. Students enrolled in the prelicense course can receive no more than six (6) hours credit per day.
  - (d) Any applicant for the exam who completed the 45 hour prelicense course prior to January 1, 1997, may meet the 60 clock hour requirement by completing a 15 clock hour course approved by the Commission provided the applicant meets all other requirements set forth in License Law &

Rules. Students enrolled in 15 hour prelicense courses can receive no more than ~~six~~ nine (9) hours credit per day.

- (e) The 30 hour post license course is required for all salesperson licensees within the first year of licensure. In order to maintain an active license, the course must be completed and the original (permanent) license issued within the first six months of licensure. Students enrolled in the post license course can receive no more than ~~six~~ nine (9) hours credit per day.
- (f) No more than 20% of the course hours in the post license course can be presented by video tape unless the course is an ARELLO certified distance education course.
- (g) Students must pass a final course exam and make a minimum course grade of 70% to successfully complete the prelicense and post license courses and receive an approved certificate of completion.
- (h) Ninety (90%) percent course attendance in the prelicense and post license courses is required in order to receive a Certificate of Completion. Instructors may take a 10-minute break after each 50 minutes of instruction. Meals and other unrelated activities cannot be counted as part of the course hours.
- (i) Salesperson and broker applicants will not be qualified and may not sit for the exam unless applicants have actually received a Certificate of Course Completion from the instructor. This means that applicants will have completed the full course hours, passed the course final exam, received a minimum grade of 70% and will have been issued the Certificate of Course Completion prior to sitting for the exam. Failure to do so will result in the applicant being required to retake and pass the state examination after these requirements have been met in order to be eligible to receive a real estate license. An examination fee must be paid for each scheduled examination.
- (j) Post license credit cannot be earned prior to obtaining an Alabama temporary license. Instructors must obtain the temporary license number before allowing a student to enroll in the post license course.
- (k) At the end of the course, ~~an~~ a Commission approved Certificate of Completion ~~supplied by the Alabama Real Estate Commission~~ shall be completed by the instructor and given to each student. The student must retain the certificate from a prelicense course and submit it to the Commission with the license application after passing the state examination. For those completing the post license course, the salesperson must submit the Certificate of Completion along with the application and fees for an original (permanent) license. ~~Beginning~~

~~January 1, 2001, instructors will discontinue using rosters and Certificates of Completion and will report all course enrollment and completion electronically to the Commission via a program specified by the Commission.~~

- (l) Schools are to maintain permanent records showing attendance and course completion scores for a minimum of three (3) years.
- (7) Salesperson applicants must pass the examination within 24 months immediately following the date of completion of the 60 clock hour prelicense course approved by the Commission. Salesperson applicants who fail to meet this requirement shall be required to again successfully complete the prelicense course.
- (8) Applicants who are required to complete the 15 clock hour prelicense course must pass the examination within the 12 months immediately following the date of course completion. Applicants who fail to meet this requirement shall be required to again successfully complete the prelicense course.

Authority: Sections 34-27-6, 34-27-8, 34-27-32, 34-27-33